

EXHIBIT

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
CASE NO.: 19-cv-03377-LAP
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VIRGINIA L. GIUFFRE,

Plaintiff,

vs.

ALAN DERSHOWITZ,

Defendant.

REMOTE

DEPOSITION OF: Michael Spallholtz
DATE TAKEN: October 18, 2021
TIME: 10:02 a.m. - 11:07 p.m.
PLACE: Zoom Video Conference
TAKEN BEFORE: Derron Ross, Court Reporter
And Notary Public State of Florida

TRANSCRIBED BY: Tina Montfort

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1 APPEARANCES:

2 MICHAEL W. KIRK, ESQUIRE

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4 APPEARING ON BEHALF OF THE PLAINTIFF

5

6 HOWARD M. COOPER , ESQUIRE

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9 APPEARING ON BEHALF OF THE DEFENDANT

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14 Also Present:

15 Duke Stephenson, Videographer

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1 Q. This is a lawyer's objection. I don't believe
2 I need to obviate, but I'm going to anyway, so we don't
3 have to do this twice.

4 What did you tell Professor Dershowitz about
5 whether the allegations -- your view of the allegations?

6 A. Just that, like I had said, that Virginia had
7 said she's never seen Alan do anything or anything like
8 -- they actually said, I want to say that she might not
9 have even met him. I can't -- I'm not a hundred
10 percent. You know, it was something along those lines
11 but that he didn't do anything, that she felt
12 manipulated by her lawyers that, for her to go after
13 Alan.

14 MR. KIRK: Objection. Move to strike for lack
15 of foundation and hearsay.

16 BY MR. COOPER:

17 Q. So, you actually heard Virginia Giuffre make
18 that statement, those statements in substance.

19 A. Yeah.

20 MR. KIRK: Objection to the form of the
21 question.

22 MR. COOPER: I-- I've got to get the question
23 and answer out.

24 MR. KIRK: I've got to get my objection as
25 well before the witness answers.

1 statements from years ago, is it fair to say you don't
2 remember the exact words that she used?

3 A. Yes. That's what I'm saying.

4 Q. In substance, what did she tell you about Alan
5 Dershowitz?

6 A. That he wasn't involved. That she'd never
7 seen him do anything. And I, I `want to say -- I don't
8 want to, I don't want to say a hundred percent, I want
9 to say she never even met him before.

10 Q. And do you recall whether that was why you
11 reacted to hearing her -- hearing the news that she was
12 making the allegations against him?

13 A. Yes. It was -- it, 'cause she actually, she
14 actually didn't want to --

15 Q. And what did --

16 A. -- the way --

17 Q. What did she say in that regard.

18 A. Well, she, she felt like she's being
19 pressured, and she's like, oh, I just don't really want
20 to do this, you know, and, and I remember her saying
21 that. Rebecca and I, we actually spoke that night.
22 Like, yeah, that's messed up.

23 And, you know, yeah, so that, I remember her
24 kind of insinuating that she, she didn't really want to
25 go after Alan, but she felt pressured by her lawyers.

1 MR. KIRK: That's all I have.

2 REDIRECT EXAMINATION

3 Q. Thank you, Mr. Spallholtz.

4 A. No problem.

5 Q. So, we're not quite done yet. I get to do
6 what's called redirect, but I promise you that I will be
7 brief, but you should never believe a lawyer when he
8 says that.

9 So, Michael, I just want to ask you some
10 follow-up questions, and I want you to look into the
11 camera so the jury can see your face.

12 Are you telling the truth?

13 A. Look at the camera?

14 Q. Yes sir.

15 A. I am.

16 Q. Why did you come forward to tell the truth?

17 A. It's like I said in the beginning. It's just
18 one of those kind of things where I always say you
19 always see situations where you know somebody knows the
20 truth and what really happened, and nobody wants to step
21 forward 'cause you know, it's scary or it's just like
22 this, like this is scary. Like, there's a lot of
23 powerful people involved in this, and we were really
24 hesitant to come forward, you know. So, it's just like,
25 okay, put your money where your mouth is. You know, you

1 know something, so you should say something.

2 Q. You were asked a number of questions by Mr.
3 Kirk suggesting, I think, that you were looking for
4 money for your testimony.

5 Is that true?

6 A. Is it true that I was looking for money?

7 Q. Yes sir.

8 A. No. We weren't looking for money.

9 Q. Have you received any money?

10 A. Unfortunately, no.

11 Q. Has anyone promised you any money?

12 A. No.

13 Q. Has Professor Dershowitz promised to pay you
14 any money?

15 A. No.

16 Q. And have you received any money from any media
17 outlet?

18 A. No.

19 Q. Are those questions offensive to you?

20 A. That I came forward for money?

21 Q. Yes.

22 A. Yeah, it's a little, it digs at me a little
23 bit, but I mean, I'm not going to lose sleep over it.

24 It is what it is.

25 Q. Now, do you know whether your communications